# THE BOMBAY DEVADASIS PROTECTION ACT, 1934 (BOM. X OF 1934).

**G. N., R. D., No. 1015/33, dated 27th May 1936 (B. G., Pt. IV-A, pp. 547 to 550).**

*Amended by G. N., R. D., No. 1015/33, dated 15th December 1938.*

**S. 7. Bombay Devadasis Protection Rules, 1936.**

In exercise of the powers conferred by section 7 of the Bombay Devadasis Protection Act, 1934 (Bom. X of 1934), the Governor in Council is pleased to make the following rules, namely :—

1. *Short title.*—These rules may be called the Bombay Devadasis Protection Rules, 1936.

2. *Definitions.*—In these rules—

(1) "Act" means the Bombay Devadasis Protection Act, 1934.

"Form" means a form appended to these rules.

(3) "Section" means a section of the Act.

3. *Notice of inquiry.*—When the Collector has reason to believe that any land is assigned as emoluments for the performance by a devadasi of any services as such, he shall appoint a day for holding an inquiry under section 6 and shall serve on the holder of the land a notice in Form A calling upon her to appear on the appointed day in person or by a duly authorised agent.

4. *Notice of inquiry how to be served.*—The notice under rule 3 shall be served either by tendering or delivering a copy thereof to the holder concerned or the agent of such holder, if any, or by affixing a copy thereof to some conspicuous place on the land concerned or some conspicuous part of the temple in which the service is performed.

5. *Manner of recording evidence.*—On the appointed day or on such other day to which the inquiry may from time to time be adjourned by him, the holder shall appear in person or by her duly authorised agent before the Collector and the Collector shall hold an inquiry in accordance with the provisions of section 193 of the Bombay Land Revenue Code, 1879, in the following matters :—

(1) whether the land is assigned for emoluments for the performance by a devadasi of any services as such ;

(2) what is the amount of rent payable in respect of the land on its release from the performance of such services ;

(3) if the holder has objected to the release of the land from the performance of such services, whether the holder was a devadasi on or before the 16th October 1934 ; and

(4) such other matters as he thinks relevant for the purposes of section 6.

6. *Issue of order after inquiry by Collector.*—(1) After such inquiry the Collector shall, if he is satisfied that the land is assigned as emoluments for the performance by a devadasi of any services as such, by order in writing, direct that the land shall be released from such liability, shall determine the rent due in respect of such land and shall direct that such rent shall be paid by the holder of the land, for the benefit of the deity, idol, object of worship, temple or religious institution or to the State Government as the case may be, or

(2) if the holder objects to the release of the land from the performance by her, of services as such or gives notice to the Collector in Form B and if the Collector is satisfied that the holder was a devadasi on or before the 15th October 1934, the Collector shall direct that the land be not released from the performance of such services and the rent be not payable under sub-rule (1) during the life time of the said holder.

7. *Determination of rent.*—In determining the amount of rent payable under rule 6 the Collector shall take into consideration the rent ordinarily paid by tenants of lands of similar description in the locality.

8. *Collector's order to be final.*—The determination of the amount of rent under rule 6 shall be final :

Provided that the Collector may, from time to time, if circumstances so require, revise the amount of rent so determined.

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FORM A.

*Form of Notice of Inquiry under sub-section (1) of section 6 of the Bombay Devadasis Protection Act, 1934 (Bom. X of 1934).*

To

Whereas land comprised in Survey No. in the village of in the taluka of district is assigned as emoluments for the performance by a devadasi of services as such ;

Notice is hereby given that an inquiry will be held by me with a view to release the said land from liability to perform such services and to levy rent in lieu thereof.

(1) You are hereby required to attend before me either in person or by a duly authorised agent at my office at o'clock on the day of 19 at which place and time an inquiry into the matter will be made by me.

(2) You are hereby required to produce before me at the abovenamed time and place any documents or other evidence you may wish to adduce in the said inquiry.

(3) If you fail to attend in person or by a duly authorised agent in pursuance of this notice, the matter will be decided in your absence and you will not afterwards be entitled to be heard with respect thereto.

(4) You are further warned that if you wish to object to the release of the land from liability for performance by you of services as such, you shall have to give me notice in Form B and you shall have to prove to my satisfaction on the said date and at the said place that you have been a devasasi on or before the 15th day of October 1934.

Dated

Place

Collector of

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FORM B.

*Form of Notice to be given under the Proviso to sub-section (1) of section 6 of the Bombay Devadasis Protection Act, 1934 (Bom. X of 1934).*

To

The Collector of

Sir,

With reference to your notice, dated the 19 , of inquiry under sub-section (*1*) of section 6 of the Bombay Devadasis Protection Act, 1934, relating to land comprised in Survey No. in the village of in the taluka of district which was served on me on I hereby give you notice that I have been holding the aforesaid land as a devadasi since before the 15th day of October 1934 and I object to the release of the land from liability for performance by me of services as a devadasi and to the payment of rent in lieu of such services.

Signature of Devadasi.